

**IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF INDIANA**

FORTRES GRAND CORPORATION, )  
an Indiana corporation, )

Plaintiff, )

v. )

WARNER BROS. ENTERTAINMENT )  
INC., a Delaware corporation, )

Defendant. )

CIVIL ACTION NO. 3:12-CV-00535-PPS-CAN

CHIEF JUDGE PHILIP P. SIMON

**DOCKETING STATEMENT**

Comes now Plaintiff/Appellant Fortres Grand Corporation, pursuant to Seventh Circuit Court of Appeals Circuit Rule 3(a) and submits the following information for its docketing statement.

1. **District Court Jurisdiction:** Plaintiff, Fortres Grand Corporation, brought this action in the United States District Court for the Northern District of Indiana against defendant, Warner Brothers Entertainment Inc., alleging trademark infringement and unfair competition in violation of federal law and unfair competition in violation of Indiana common law. The District Court has jurisdiction of the claims by virtue of the fact that: (1) this is an action arising under the Trademark Act of 1946, as amended, 15 U.S.C. §1051 et seq. (the Lanham Act), jurisdiction being conferred in accordance with 15 U.S.C. § 1121 and 28 U.S.C. § 1338(a) and (b); and (2) this is a civil action between citizens of different states in which the value of the amount in controversy exceeds \$75,000.00, exclusive of interest and costs, jurisdiction being conferred in accordance with 28 U.S.C. § 1332. Plaintiff, Fortres Grand Corporation is an Indiana corporation

with its principal place of business in Plymouth, Indiana. Defendant Warner Brothers Entertainment Inc. is a Delaware corporation with its principal place of business in Burbank, California.

2. **Appellate Court Jurisdiction:** The District Court granted Defendant's Motion to Dismiss and dismissed Plaintiff's complaint without prejudice on May 16, 2013. The District Court granted Plaintiff an opportunity to file an amended complaint within 28 days of that order. If Plaintiff chose not to do so, the District Court indicated that it would issue another order dismissing the case with prejudice. The clerk's entry of judgment was entered on May 17, 2013, based on the District Court's order dismissing the complaint without prejudice. The District Court dismissed Plaintiff's complaint with prejudice on June 13, 2013. The Seventh Circuit Court of Appeals has Jurisdiction over the appeal pursuant to 28 U.S.C. § 1291.

Respectfully submitted,

MAY • OBERFELL • LORBER

/s/Christopher R. Putt

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*Attorney for Plaintiff Fortress Grand Corporation*

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing **DOCKETING STATEMENT** was filed electronically with the United States District Court on June 17, 2013. Notice of this filing will be sent to all attorneys of record by operation of the Court's electronic filing system.

/s/Christopher R. Putt